

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AARON MARTIN, on behalf of himself	:	
and all others similarly situated,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	NO. 10-2203
	:	
	:	
FORD MOTOR CO.,	:	
	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 15th day February 2011, upon consideration of Defendant Ford Motor Company's Motion to Strike Class Allegations from the Amended Complaint (Doc. No. 16) and Motion to Dismiss the Amended Complaint (Doc. No. 17), Plaintiff Aaron Martin's Response in Opposition to each Motion (Doc. Nos. 22, 23), Defendant's Reply Briefs (Doc. Nos. 27, 28), and the Supplemental Briefs of each party (Doc. Nos. 36, 37), and after Oral Argument on the Motions held November 29, 2010, it is **ORDERED** as follows:

1. Defendant's Motion to Strike Class Allegations from the Amended Complaint (Doc. No. 16) is **DENIED**.
2. Defendant's Motion to Dismiss the Amended Complaint (Doc. No.17) is **GRANTED in part and DENIED in part**. Counts I, VI, and VII of the Amended Complaint are **DISMISSED WITH PREJUDICE**. The Motion to Dismiss is **DENIED** with respect to Counts II, III, IV, and V.

3. Defendant shall file an Answer to the Amended Complaint within twenty (20) days of the date of this Order.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.